



Persons' Importing Out-of-State Beverage Container Materials – Workshop #4

February 26, 2013



AGENDA

- Background:
 - AB 1933 – Changes to PRC 14596
- Feedback on Assumptions/Self-Survey/Data Elements for OOS Beverage Container Material Reporting Process
- Review / Discuss Project Team Assumptions for OOS Beverage Container Material Inspection Process
- Open Comment / Feedback
- Next Steps



AB 1933 - LEGISLATIVE CHANGES

➤ PRC Section 14596 (a)

- Any person importing more than **25 pounds** of aluminum, bimetal, or plastic beverage container material, or more than **250 pounds** of glass beverage container material, into the state, shall report the material to the department and provide the department with all the following:



AB 1933 - LEGISLATIVE CHANGES

➤ PRC Section 14596 (a)

- Documentation on the source of the material.
- Documentation on the destination of the material.
- Any other information deemed necessary by the department as it relates to the importation of empty beverage container material
- An opportunity for inspection, in accordance with the regulations adopted by the department



AB 1933 - LEGISLATIVE CHANGES

➤ PRC Section 14596 (b)(1)(A)

- In addition to inspections required by the regulations adopted by the department pursuant to subdivision (a), a vehicle entering the state that contains more than 25 pounds of empty beverage container material shall pass through the nearest plant quarantine inspection station maintained pursuant to Section 5341 of the Food and Agricultural Code, and shall obtain proof of inspection from the department.

50 lbs. Aluminum UBCs (loose)





PROJECT TEAM

- Management & staff from CalRecycle, CDFA and DOJ comprise the working team developing the draft reporting and inspection regulations to implement PRC 14596 (a) & (b)
- Developing FSR for potential IT project to formalize data collection and transfer between CDFA, CalRecycle and state and local law enforcement agencies
- Team currently meeting weekly

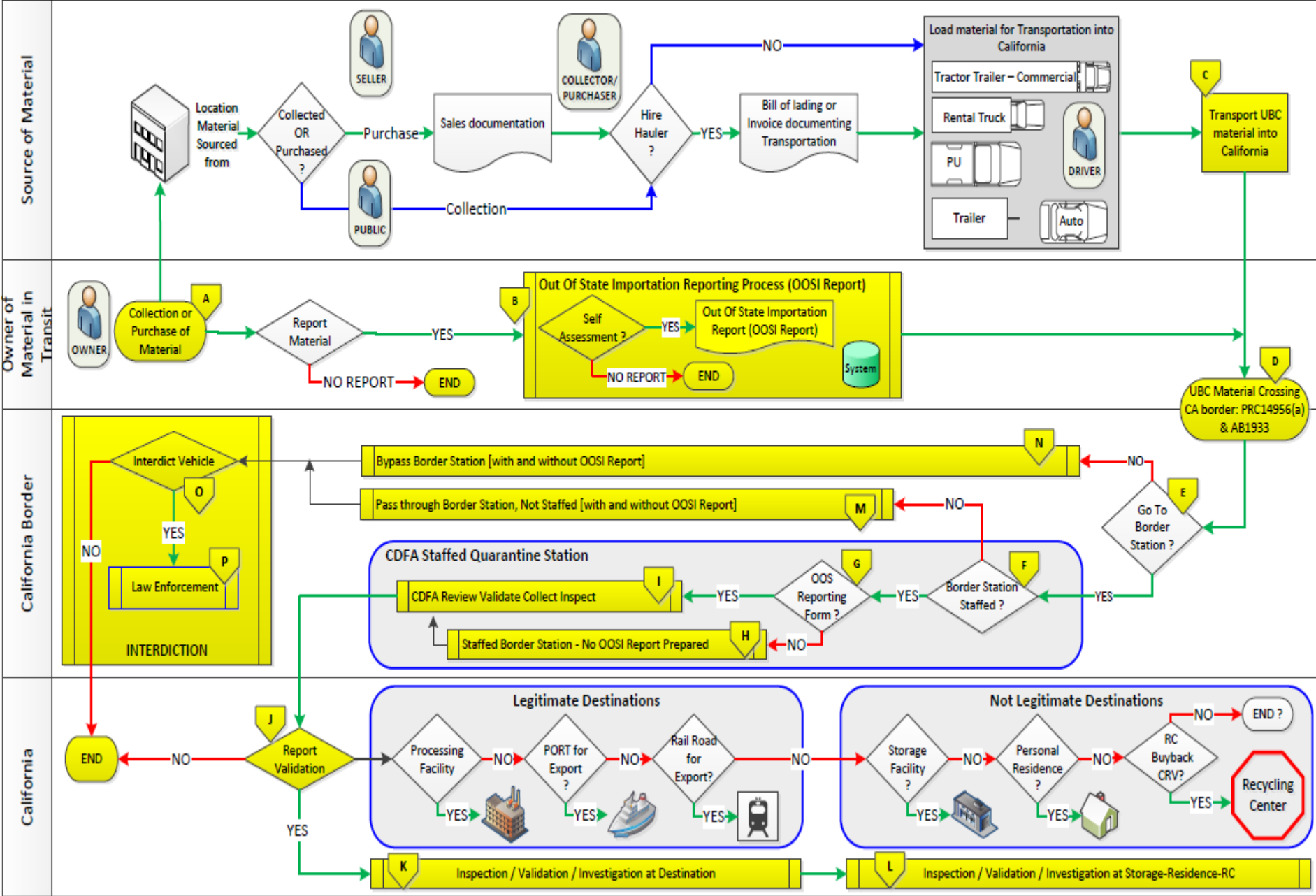


REPORTING/INSPECTION

➤ **Primary components of the OOS beverage container material importation reporting and inspection process:**

- Material
- Source
- Ownership
- Transportation
 - Vehicle
 - Driver / Operator
- Destination

Model of Out Of State Importation Reporting (OOSI Report) of Used Beverage Containers (PRC 14956(a) and AB 1933) Regulation Development Document









FEEDBACK/DISCUSSION

- Any feedback on assumptions/self-survey form/data elements for OOS Beverage Container Material Reporting Process highlighted at January 2013 workshop?



INSPECTIONS

➤ Operating Assumptions:

- All applicable vehicles importing OOS UBC materials must pass through an open and operating CDFA Quarantine Inspection Station (CDFA border station)
- Vehicles transporting over statutory thresholds of OOS UBC material will be restricted from entering CA if they refuse to allow inspection of vehicle
- Passing through an unstaffed CDFA border station will be considered the same as going around a CDFA border station

A background image showing various plastic bottles and a metal can. In the top left, there is a blue metal can with a pull-tab lid. To its right and slightly below is a clear plastic bottle with a blue screw cap. Further right is another clear plastic bottle with a green screw cap. The bottles are arranged on a light blue surface with a subtle gradient.

INSPECTIONS

➤ Operating Assumptions:

- CDFA agents will inform CalRecycle and/or state or local law enforcement of drivers/vehicles that refuse to allow inspection
- Bypassing a CDFA border station can result in administrative penalties. Misdemeanor for multiple violations within specified time period
- CalRecycle will be advocating for harsher penalties for drivers importing OOS UBC materials that willfully avoid passing through a CDFA border station



INSPECTIONS

➤ Operating Assumptions:

- Driver shall obtain/retain proof of inspection issued by CDFA agents, or by another CA state government agent, until material is delivered to reported destination
- Completed & authorized OOSI report forms will be required to remain with the OOS beverage container material until delivered to reported destination



INSPECTIONS

➤ Operating Assumptions:

- Inspections will be conducted in three different ways:
 - Inspected at CDFA border station, and/or
 - Inspected at secondary location identified by a CA state government agent, and/or
 - Inspected at the destination point reported on the OOSI report form



INSPECTIONS

➤ Operating Assumptions:

- Inspected at CDFA border stations by...
 - CDFA Agents, and/or
 - CalRecycle Staff, and
 - State and Local Law Enforcement



INSPECTIONS

➤ Operating Assumptions:

- Inspected at secondary location identified by a CA state government agent
 - Driver will be directed to transport OOS UBC materials to designated secondary inspection location (e.g., processor facility in close proximity to border station, CHP weigh station, CalRecycle field office, etc.)



INSPECTIONS

➤ Operating Assumptions:

- Inspected at the destination point reported on the OOSI report form
 - Inspection could coincide with delivery of OOS UBC material to reported destination point or could be performed post-delivery
 - CalRecycle staff will conduct routine desk-audits of all OOSI reports by validating, verifying and/or conducting follow-up phone calls, inspections or site visits



INSPECTIONS

➤ Operating Assumptions:

- Copy of OOSI report must be retained at the reported destination point. Receiving party must sign the OOSI report and corresponding affidavit
- Certified or registered program participants who receive OOS UBC materials will be required to maintain completed OOSI reports for all OOS UBC material purchases



INSPECTIONS

➤ Operating Assumptions:

- Certified or registered program participants will be required to record OOS UBC material transactions separately from CRV material purchases
- Certified or registered program participants will be required to store OOS UBC materials separate from CRV materials



INSPECTIONS

➤ Operating Assumptions:

- Copy of the associated weight ticket must be maintained with the OOSI report
- OOSI reports and weight tickets will be required to be maintained in accordance with current records retention requirements



INSPECTIONS

➤ Related Proposals:

- CalRecycle will advocate for a policy change to make it:
 - Illegal for OOS UBC materials to be delivered to a certified recycling center
 - Illegal for a certified recycling center to receive, purchase, handle, store, etc. OOS UBC materials
- OOS UBC materials would be allowed to be delivered to, or received at certified processor facilities
 - Dual certified facilities would not be allowed to receive OOS UBC materials



OPEN COMMENT AND FEEDBACK



NEXT STEPS

- Weekly Project Team Meetings will continue:
 - Develop Draft Reporting and Inspection Process Requirements

- Next Workshop:
 - March 25, 2013
 - 10:00am – 12:00pm
 - Coastal Hearing Room, 1001 I Street, Sacramento